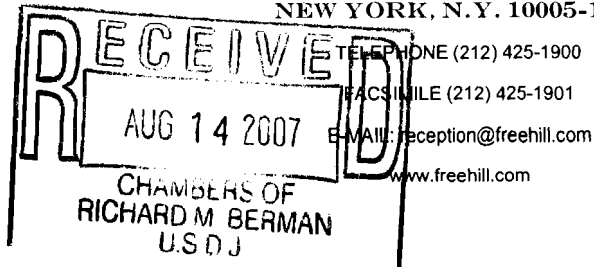


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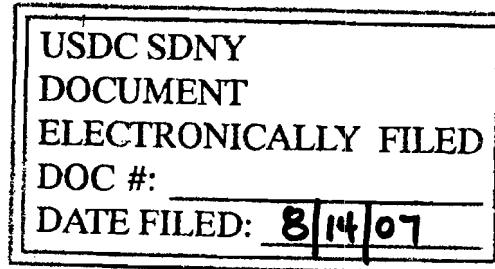
**MEMO ENDORSED**  
*P.2*

August 14, 2007

Our Ref: 207-07/WLJ

**BY HAND**

Honorable Richard M. Berman  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 650  
New York, NY 10007



Re: NB Shipping Ltd. v. Genuine Shipping Corp. 07-3237 (RMB)

Dear Judge Berman:

We represent Plaintiff in this matter and write to request that Your Honor grant us a sixty-day extension to serve the summons and complaint upon the Defendant. The deadline for effecting service is August 23, 2007. This is our first request for this relief.

This matter involves a claim by Plaintiff for breach of a maritime contract of charter party which is subject to London arbitration. The merits will be decided in London and there will be no discovery or other substantive actions in connection with this New York action. This action was commenced for purposes of obtaining security in connection with the London arbitration. Plaintiff's complaint thus included an *ex parte* request for an attachment pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure, which relief was granted by the Court.

Despite continued efforts to restrain funds of the Defendant, Plaintiff has not been successful in attaching any assets to date. Rule B specifically provides for an attachment as *ex parte* relief, and under Local Admiralty Rule B.2, we are not required to provide notice of these proceedings to the Defendant until after property has been actually restrained. If we were to

The Honorable Richard M. Berman  
August 14, 2007  
Page 2

effect service now upon the Defendant (before any property is restrained), the purpose for which the attachment was sought and this Court's order of attachment would be defeated.

Accordingly, because the dispute is subject to London arbitration and because assets of the Defendant have not yet been restrained triggering the notice provision of Rule B, we respectfully request that Plaintiff be granted an extension of time to serve the summons and complaint up to and including October 23, 2007.

Respectfully submitted,

FREEHILL HOGAN & MAHAR, LLP

*Manuel A. Molina*

William L. Juska, Jr.  
Manuel A. Molina

<u>APPLICATION GRANTED.</u>	
SO ORDERED:	<i>Richard M. Berman</i>
Date: <u>8/14/07</u>	<u>Richard M. Berman, U.S.D.J.</u>